

Utah Composite Return for Nonresident Professional Team Members

2003**TC-65PA**
Rev. 12/03

For the year ending Dec. 31, 2003, or fiscal taxable year beginning _____ and ending _____.

• ☐ **ENTER CODE (1 - 4)**
FOR AMENDED RETURN

1 - Amended IRS return 3 - IRS audit/adjustment
2 - Corrected state return 4 - Other

See instructions on page 3.

Check box(es) if this is a new address: • <input type="checkbox"/> Physical address • <input type="checkbox"/> Mailing address	Team name			Team Employer Identification Number	
	Team address			Telephone Number	
	City	State	Zip code		

1. Utah income attributable to nonresident team members included in composite filing (complete form TC-65PA Schedule N) _____
2. Deduction amount (multiply line 1 by .15) _____
3. Utah taxable income attributable to nonresident team members included in composite filing (line 1 less line 2) _____
4. Tax rate _____
5. Tax (line 3 multiplied by line 4) _____
6. Amended returns only - prior refunds (include refunds received from previous returns) _____
7. Total (add lines 5 and 6) _____
8. Taxes prepaid (this includes extension prepayments and voluntary tax prepayments - if this an amended return, include payments made with previous returns) _____
9. Net tax due (if line 7 is greater than line 8, subtract line 8 from line 7) _____
10. Refund (if line 8 is greater than line 7, subtract line 7 from line 8) _____

1		00
2		00
3		00
4	.07	
5		00
6		00
7		00
8		00
9		00
10		00

Official Use Only

Under penalties of perjury, I declare that to the best of my knowledge, this return and accompanying schedules are true, correct and complete.

Signature of general partner/member

Date

Paid Preparer's Section	Paid preparer's signature	Date	Check if self-employed <input type="checkbox"/>	Preparer's SSN/PTIN
	Firm's name (or yours if self-employed)	Telephone number	Employer identification number	
	Paid preparer's complete address	City	State	ZIP Code

File return with the Utah State Tax Commission, 210 N 1950 W, SLC, UT 84134-0270, telephone (801) 297-2200 or 1-800-662-4335.

Utah Composite Return for Nonresident Professional Team Members					
TC-65PA Schedule N					
TC-65PAN Rev. 12/03					
Team name		Taxable year ending		Team employer identification number (EIN)	
Column A Team Member EIN or SSN	Column B Team Member Name (last, first)	Column C Duty Days in Utah	Column D Total Duty Days	Column E Team Member Team Compensation	Column F Team Member Team Compensation Attributable to Utah (Column C / Column D) X Column E
Total column F and enter on form TC-65PA, line 1					\$
Duplicate this form if additional sheets are necessary					

Team name	Taxable year ending	Team employer identification number (EIN)

Column A Team Member EIN or SSN	Column B Team Member Name (last, first)	Column C Duty Days in Utah	Column D Total Duty Days	Column E Team Member Team Compensation	Column F Team Member Team Compensation Attributable to Utah (Column C / Column D) X Column E
Total column F and enter on form TC-65PA, line 1					\$

Duplicate this form if additional sheets are necessary

Instructions for TC-65PA

Who may file this return

Professional athletic teams may file this return only on behalf of nonresident team members that meet all of the following conditions.

1. Utah nonresident team members included on the return may not have income from Utah sources other than team compensation. Utah resident team members may not be included on a composite return.
2. Utah nonresident team members that are entitled to mineral production tax withholding credits, agricultural off-highway gas tax credits, or other Utah credits, may not be included in a composite filing, but must individually file form TC-40, "Utah Individual Income Tax Return."
3. Participating team members must acknowledge through their election that the composite return constitutes an irrevocable filing and that they may not file an individual income tax return in Utah for that year.

Where To File

Utah State Tax Commission
210 N 1950 W
SLC, UT 84134-0270

When To File

A return must be filed on or before the 15th day of the fourth month after the close of the team's taxable year. If the due date falls on a Saturday, Sunday or legal holiday, the return will be due the following business day.

Filing Extension

Taxpayers are automatically allowed an extension of up to six months to file their returns. This is an extension of time to file the return and not an extension of time to pay tax due. To avoid penalty and interest, the prepayment requirements must be met on or before the original due date and all returns must be filed within the six month extension period.

The prepayment amount must equal at least 90 percent of the tax due in the current year, or 100 percent of the previous year's Utah tax liability.

Underpayment of extension prepayment is subject to penalty (see below).

Penalties

Utah law provides for uniform tax penalties for failure to file tax returns, failure to pay tax due, and failure to file information returns or supporting schedules.

The penalty for **failure to file a tax due return** by the due date is the greater of \$20 or 10 percent of the unpaid tax. If a tax balance is still unpaid 90 days after the due date, a second penalty of \$20 or 10 percent of the unpaid tax, whichever is greater, will be added for failure to pay timely.

The penalty for **failure to pay tax due** as reported on a timely filed return, or within 30 days of a notice of deficiency, is \$20 or 10 percent of the unpaid tax, whichever is greater.

The penalty for **underpayment of an extension prepayment** is 2 percent per month of the unpaid tax during the

extension period. If the return is not filed by the extension due date, failure to file and failure to pay penalties will apply, as if the extension had not been granted.

The penalty for **failure to file an information return** or a complete supporting schedule is \$50 for each return or schedule up to a maximum of \$1,000.

For a list of additional penalties that may be imposed, refer to Utah Code Ann. Section 59-1-401.

Interest

Interest is assessed at the rate prescribed by law from the original due date until paid in full. The interest rate applicable for most taxes and fees administered by the Tax Commission is 2 percentage points above the federal short-term rate in effect for the preceding fourth calendar quarter. The IRS publishes this rate in September each year.

The interest rate for most taxes and fees administered by the Tax Commission for the 2004 calendar year is **3 percent**.

Form TC-15, which contains applicable interest rates, is available on the Internet, tax.utah.gov or by calling or writing the Utah State Tax Commission, 210 N 1950 W, SLC, UT 84134, telephone number (801) 297-6700 or 1-800-662-4335 ext. 6700.

Signature

The return must be signed by an individual authorized to sign for the team.

Name or Address Changes

Changes (e.g. address change or ceasing to do business) must be reported to:

Master File Maintenance
Utah State Tax Commission
210 N 1950 W
SLC, UT 84134-3310

Liability for Tax

Nonresident team members are subject to Utah income tax for the total compensation received from a professional athletic team for services performed for the team in Utah. This calculation is made by multiplying the team member's total team compensation by a fraction, the numerator of which is the number of duty days spent by the team member in Utah, and the denominator of which is the total number of duty days spent by the team member both within and outside Utah.

Definitions

1. "Professional athletic team" includes any professional baseball, basketball, football, soccer or hockey team.
2. "Team member" includes those employees who are active players, players on the disabled list, and any other persons required to travel and who do travel with and perform services on behalf of a professional athletic team on a regular basis. This includes coaches, managers and trainers.
3. "Duty days" means all days during the taxable year from the beginning of the professional athletic team's official preseason training period through the last game

in which the team competes or is scheduled to compete.

- a) Duty days shall also include days on which a member of a professional athletic team renders a service for a team on a date that does not fall within the period described in 3. For example, participation in instructional leagues, the Pro Bowl or other promotional caravans. Rendering a service includes conducting training and rehabilitation activities, if conducted at the facilities of the team.
 - b) Included within duty days shall be game days, practice days, days spent at team meetings, promotional caravans, and preseason training camps, and days served with the team through all postseason games in which the team competes or is scheduled to compete.
 - c) Duty days for any person who joins a team during the season shall begin on the day that person joins the team, and for a person who leaves a team shall end on the day that person leaves the team. If a person switches teams during a taxable year, a separate duty day calculation shall be made for the period that person was with each team.
 - d) Days for which a team member is not compensated and is not rendering services for the team in any manner, including days when the team member has been suspended without pay and prohibited from performing any services for the team, shall not be treated as duty days.
 - e) Days for which a team member is on the disabled list shall be presumed not to be duty days spent in the state. They shall, however, be included in total duty days spent within and outside the state.
 - f) Travel days that do not involve either a game, practice, team meeting, promotional caravan or other similar team event are not considered duty days spent in the state. They shall, however, be included in total duty days spent within and outside the state.
4. "Total compensation received from a professional athletic team" means the total compensation received during the taxable year for services rendered:
- a) from the beginning of the official preseason training period through the last game in which the team competes or is scheduled to compete during that taxable year; and
 - b) during the taxable year on a date that does not fall within the period in 4(a), for example, participation in instructional leagues, the Pro Bowl, or promotional caravans.
5. "Total compensation" includes salaries, wages, bonuses and any other type of compensation paid during the taxable year to a team member for services performed in that year.
- a) Total compensation shall not include strike benefits, severance pay, termination pay, contract or

option-year buyout payments, expansion or relocation payments, or any other payments not related to services rendered to the team.

- b) "Bonuses" subject to the compensation calculation are:
 - 1) bonuses earned as a result of play during the season, including performance bonuses, bonuses paid for championship, playoff or bowl games played by a team, or for selection to all-star league or other honorary positions; and
 - 2) bonuses paid for signing a contract, unless all of the following conditions are met:
 - a) the payment of the signing bonus is not conditional upon the signer playing any games for the team, or performing any subsequent services for the team, or even making the team;
 - b) the signing bonus is payable separately from the salary and any other compensation; and
 - c) the signing bonus is nonrefundable.

Recordkeeping Requirements

Professional athletic teams filing on behalf of nonresident team members shall keep adequate records to substantiate their determination or to permit a determination by the Tax Commission of the team members' team compensation that was derived from or connected with sources in this state.

Rounding off to Whole Dollar Amounts

All entries must be reported in whole dollar amounts.

Tax Due

If you owe tax on a composite return, the payment may be sent electronically or paid by check.

PAYMENTEXPRESS on the Internet

Pay tax online with a credit card or an electronic check (ACH debit) from your checking account. Pay in full or make partial payments throughout the year. Each online payment is subject to a service fee.

- Access PaymentExpress (paymentexpress.utah.gov)
- Enter the team EIN
- Follow the step-by-step instructions

Mail Payment

- Make check or money order payable to the Utah State Tax Commission,
- Write the team EIN, telephone number and "2003 TC-65PA" on your check,
- Enclose payment with your return - DO NOT STAPLE check to return, OR
- If mailing payment separate from the return, mail or deliver the payment, with a payment coupon (TC-544), to the Utah State Tax Commission, 210 N 1950 W,

SLC, UT 84134-0270. DO NOT send another copy of your tax return with your payment. Doing so may delay posting of your payment.

Do not mail cash. The Tax Commission assumes no liability for loss of cash placed in mail.

Allow at least 90 days for your return to be processed.

Penalty and Interest, if applicable, will be billed. Penalty and interest charges are explained in the "Penalties" and "Interest" instructions on page 1.

Payment Agreement Request: If you owe tax and are unable to pay all or a portion of the amount owed, you may request a payment agreement by completing form TC-804B, "Payment Agreement Request." The form can be obtained at tax.utah.gov. If approved, you will receive a letter confirming the acceptance of your request.

A payment agreement does not stop the accrual of penalty and interest. If you do not pay in full by the return due date, whether or not you request a payment agreement, any balance due will be subject to penalty and interest.

If you do not submit a payment agreement request form, a billing notice for the full amount due, including penalty and interest, will be mailed to you. Upon receiving this notice, you must pay the total amount due, or request a formal payment agreement by completing and mailing form TC-804B or calling (801) 297-7703 or 1-800-662-4335 ext. 7703.

Payments may be submitted prior to approval of the payment agreement request or billing notice, per the instructions above.

Amended Returns

To amend a return, use the tax form and instructions for the year you are amending.

Amend your return promptly if:

1. An error is discovered on your state or federal return after it has been filed; or
2. Your federal return is audited or adjusted by the IRS and the IRS audit or adjustment affects your state return. You must report such changes or corrected net income within 90 days of the IRS's final determination.

To qualify for a refund or credit, an amended return must be filed within three years following the date the original return

was filed. A return filed before the due date is considered filed on the due date.

To amend a previously filed return, enter a number in the box titled "Enter code (1-4) for amended return" that best corresponds to your "REASON FOR AMENDING." See codes below:

REASONS FOR AMENDING:

1. You filed an amended return with the IRS. (Attach a copy of your amended federal return.)
2. You made an error on your state return. (Attach an explanation of the adjustment made.)
3. Federal audit adjustments, which resulted in changes in federal taxable income, were issued and became final. (Attach a copy of the IRS adjustment.)
4. Other (Attach explanation to return.)

Complete the return, entering the figures as corrected. All other amounts entered should match your original return.

Remember: Except for the amounts you amend, the amounts you place on the return must match the amounts on your original return.

If you need an accommodation under the Americans with Disabilities Act, contact the Tax Commission at (801) 297-3811 or Telecommunication Device for the Deaf (TDD) (801) 297-2020. Please allow three working days for a response.